

REMARKS

Applicant's attorney acknowledges the courtesies extended by Examiner Wynn Wood Coggins during their 4/3/2000 telephone interview. In the telephone interview, Examiner Coggins indicated that Applicant's filing of this type of Supplemental Amendment is appropriate in response to the Office Action mailed March 4, 2002.

In the Office Action mailed March 4, 2002, the USPTO stated that Applicant's 2/4/2002 Response was non-compliant because it did not include a marked up version of the specification. Accordingly, a marked-up version of the amended specification is attached to this Supplemental Amendment pursuant to 37 CFR § 1.121.

Moreover, Applicant directs the USPTO's attention to the last sentence of 37 CFR § 1.121(b)(iii), which states, "A marked up version does **not** have to be supplied for an **added** paragraph or a deleted paragraph as it is sufficient to state that a particular paragraph has been added, or deleted" (emphasis added). Thus, Applicant respectfully traverses the Office Action mailed March 4, 2002.

In view of this Supplemental Amendment, Applicant respectfully requests entry of Applicant's 2/4/2002 Response, which is attached hereto.

An early formal notice of allowance is requested.

No additional fee is believed due. Nevertheless, to the extent that the present amendment results in additional fees, the Commissioner is authorized to charge deposit account no. 08-1394.

If any unresolved aspect remains, the Examiner is invited to call the telephone number listed below.

Respectfully submitted,



Michael A. Davis, Jr.

Registration No. 35,488

Signed under 37 CFR § 1.34(a)

Date: 4/03/2002
HAYNES AND BOONE, LLP
901 Main Street, Suite 3100
Dallas, Texas 75202-3789
Telephone: (214) 651-5634
Facsimile: (214) 651-5940
Docket No. 12964.15

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231	
on	<u>4/3/02</u>
	<u>1/92</u>

a-129436

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Specification

In the specification, at page 1, the following new paragraph has been added after line 25 and before line 26.

In WO 98/47116 A1 is described a method for effecting of payments by a client to a merchant via telecommunication device as well as a corresponding device for effecting the method. In this method, the client starts the payment by first transmitting at least a merchant's code and the amount to be paid via a cell phone to a so-called telepay device which can build up connections to the client's bank, to the merchant's bank and to the merchant himself. This transaction data is intermediately stored by the telepay device and sends requests for confirmation to the client and/or after building up of a corresponding communication connection and transmitting of a transaction code being specific for this transaction and of the amount to be confirmed - to the merchant. After the confirmation was received, the amount is transferred by a bank specified by a merchant's entry in a data base of the telepay device, respectively, the first bank is requested to transfer. Hereby is preferably determined for safety reasons the geographical position of the mobile cell phone either via determination of the radio cell positioned in the phone or via GPS, and is compared with a list of allowed locations. In this method, however, the client has to feed in all information via cell phone which may be arduous and temperamental for errors in view of the mostly small keys and small displays on the one hand, and on the other hand requires a comparatively long mobile cell connection.